GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Panchayat Raj & Rural Development Department - Departmental proceedings initiated against Sri Isukapatla Immanuel Kumar, the then Senior Assistant, Office of the MPDO, Ravulapalem, East Godavari District presently working as Administrative Officer, Office of the MPDO, Pedapudi Mandal, East Godavari District, under the provisions of Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Inquiry Authority appointed – Inquiry report submitted - Examined - Imposed punishment of dismissal from service under Rule 9 (X) of A.P.C.S (CC&A) Rules, 1991– Orders - Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-III) DEPARTMENT

G.O.Rt.No.464 **Date:09.08.2023**

Read the following:-

1. From the Director General, ACB, Lr.Rc.No.188/RCA-REG/2011, dt:21.03.2012 & 18.05.2015.
2. G.O Ms.No.343, PR&RD (Vig.IV) Dept., Dated:12.10.2012.
3. Govt. Memo.No.10835/Vig.IV.A1/2012-3, Dated:26.08.2013.
4. G.O.Rt.No.1097, PR&RD (Vig.III) Dept., Dated:02.12.2015.
5. G.O Ms.No.110, PR&RD (Vig.IV) Dept., Dated:19.12.2015.
6. G.O.Ms.No.97, PR&RD, Vig.III/A2/2019, dated:11.03.2019.
7. From Commissioner, PR&RD Letter No.471597/CPR&RD/ VIG/2018, dt:10.05.2022 along with explanation of Sri Isukapatla Emmanuel Kumar, the then Senior Assistant, O/o MPDO, Ravulapalem, East Godavari District (Present A.O, MPP, Pedapudi), Dated:05.12.2021.
8. G.O.Ms.No.475, PR&RD (Vig.III) Dept., dated:13.06.2022.
9. Inquiry report from CEO, ZPP, EG, vide e-file No.D1/ZPP/436655/2022, dt:05.08.2022.
10. Govt., Memo No. 10835/Vig.III/A2/2012-1 (822740), Dt:22/02/2023.
11. Explanation from the CO Sri Isukapatla Emmanuel Kumar, A.O., MPDO Office, Pedapudi, Kakinada District.
12. Letter to the Secretary, APPSC, Vijayawada, Letter No. 822740/VIG.III/A2/2019, Dt.20.05.2023.
13. From the Secretary, APPSC., File No.GAD03-APPS0DCC/55/2022-DC.SEC- APPSC (Computer No.2092721), Dated:02.06.2023

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ORDER:

In the reference 1st read above, it was brought to the notice of the Government that a case was registered by the Anti Corruption Bureau authorities against Sri Isukapatla Emmanuel Kumar, the then Senior Assistant, O/o MPDO, Ravulapalem, East Godavari District on the allegations of corruption and possession of assets disproportionate to the known sources of his legal income. During the investigation of said issue, it is noticed that the Accused Officer has not filed Annual Property Returns as well as not obtained prior permission either for acquiring or disposing of immovable properties. The individual was placed under suspension with effect from 29.08.2011, i.e., from the date of his detention. Later on, in the reference 3rd read above, directed the Collector & District Magistrate, East Godavari to reinstate the individual into service with immediate effect and post him to non-focal post, without prejudice to Criminal/disciplinary proceedings pending against him. Accordingly, the individual was reinstated into service and posted in MPP, Y. Ramavaram, vide CPR's proceedings Rc.No.D2/4372/2011, dt.03.02.2014.

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2. As per the report of the ACB Authorities, orders have been issued vide G.O 2nd read above, for attachment of properties of the A.O. Later on, based on the final report of the Director General, ACB, prosecution orders have been issued vide G.O 5th read above. The Director General, ACB, has filed charge sheet before the Special Judge for SPE & ACB cases at Vijayawada on 01.04.2016 and the trial court assigned C.C.No.15/2016 and re-numbered as CC No.176/2018 in the Special Judge for SPE & ACB cases at Rajahmundry. It is still pending before the trial court. Further, as per request of the Director General, ACB, vide G.O. 6th read above, issued orders to authorize the Public Prosecutor, Rajamahendravaram, for filing of an application for confiscation of the moneys/properties of the individual, before the Authorized Officer, Rajamahendravaram under the Andhra Pradesh Special Courts Act, 2016 worth Rs 1,55,95,701/- (Rupees One crore fifty five lakhs ninety five thousand seven hundred and one only), to have procured by means of the offence.

3. In the G.O. 4th read above, article of charge has been framed against Sri Isukapatla Immanuel Kumar, the then Senior Assistant, Office of the MPDO, Ravulapalem, East Godavari District and presently working as Administrative Officer, Office of the MPDO, Pedapudi Mandal, East Godavari District, for non submission of Annual Property Returns & for his failure to take prior permission from the competent authority to acquire or disposal of Moveable and Immovable properties, etc., under violation of APCS (Conduct) Rules, 1964.

4. After examining the written statement of defense of the individual submitted through the reference 7th read above, Government have decided to conduct regular departmental Inquiry against the Charged Officer on the charge framed against him. Accordingly, Govt., appointed the Chief Executive Officer, ZPP, East Godavari District as Inquiry Officer and the Deputy Chief Executive Officer, ZPP, East Godavari District as Presenting Officer, under Rule 20 (2) and Rule, 20(5)(C) respectively of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, to conduct detailed Inquiry against Sri Isukapatla Immanuel Kumar, the then Senior Assistant, Office of the MPDO, Ravulapalem, East Godavari District, on the charges framed against him, vide G.O. 8th read above.

5. In the reference 9th read above, the Inquiry Officer and Chief Executive Officer, ZPP, East Godavari District, has submitted his enquiry report, stating that the charge held proved against the individual and the same has been communicated to the Charged Officer and the Charged Officer, Sri Isukapatla Immanuel Kumar, the then Senior Assistant, Office of the MPDO, Ravulapalem, East Godavari District has submitted his explanation, which is not convincing.

6. After careful examination of the matter, Government have provisionally decided to impose major punishment of withholding of one (1) increment of pay with cumulative effect on Sri Isukapatla Immanuel Kumar, the then Senior Assistant, O/o MPDO, MPP, Ravulapalem of East Godavari District. Accordingly, in the reference 12th read above, the disciplinary case of Sri Isukapatla Immanuel Kumar, the then Senior Assistant, O/o MPDO, MPP, Ravulapalem of East Godavari District, was referred to the APPSC., for their concurrence on the proposal of the department to impose the major punishment of withholding of one (1) increment of pay with cumulative effect.

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7. In the reference 13th read above the Secretary, APPSC informed that, the Commission opines that the charge against the delinquent is very serious in nature. The Anti Corruption Bureau had registered a case for disproportionate assets which was proved in the course of investigation. The properties acquired are huge (8 houses, buildings, school, hospital, 5 house sites and as many as 22 agricultural lands) and bank accounts in 7 banks, (Gold and FDR's in 6 banks) etc., are unaccountable for and established to be way beyond known sources of income both in the ACB inquiry and investigation as well as during the departmental enquiry. However, the proposed punishment is not at all commensurate to the delinquency. Further, observed that the delinquent way back in 2018 itself put in his papers for voluntary retirement, which was not accepted since the enquiry is pending. Therefore, at this stage a punishment of PPI for one year with effect will hardly make difference to the delinquent. Hence, keeping in with G.O Ms. No.2, G.A. (Ser.C) Dept., dt:04.01.1999, in all proven cases of misappropriation, bribery, corruption, moral turpitude etc., penalty of Dismissal from service may be imposed and advised accordingly.

8. After taking into consideration and concurred with the advice of the APPSC., Government have decided to impose the penalty of Dismissal from service against Sri Isukapatla Immanuel Kumar, the then Senior Assistant, O/o MPDO, MPP, Ravulapalem and presently working as Administrative Officer, Office of the MPDO, Pedapudi Mandal, East Godavari District. Accordingly, hereby order to impose the penalty of Dismissal from service against Sri Isukapatla Immanuel Kumar, the then Senior Assistant, O/o MPDO, MPP, Ravulapalem and presently working as Administrative Officer, Office of the MPDO, Pedapudi Mandal, East Godavari District, under Rule 9 (X) of A.P.C.S (CC&A) Rules, 1991.

9. The Commissioner, PR&RD, A.P., Tadepalli shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Isukapatla Immanuel Kumar, the then Senior Assistant, Office of the MPDO, Ravulapalem, East Godavari District now working as Administrative Officer, Office of the MPDO, Pedapudi Mandal, East Godavari District (through the Commissioner, PR&RD, A.P.)
The Commissioner, PR&RD, Tadepalli, Guntur District.
The District Collector, East Godavari/Kakinada District.
The Chief Executive Officer, ZPP, East Godavari District.
The Secretary, Andhra Pradesh Public Service Commission, Vijayawada.
Copy to:
The Director of Treasuries and Accounts, A.P., Mangalagiri.
The District Treasury Officer, East Godavari/Kakinada District.
The Secretary, A.P. Vigilance Commission, Velagapudi.
The OSD to Hon'ble Dy.CM (PR&RD).
The P.S to Spl. Chief Secretary to Govt.(PR&RD).
The PR&RD (Esst.IV) Department.
Sf/Sc

//FORWARDED :: BY ORDER//

SECTION OFFICER